



1.

PROPOSED GARAGE ENCROACHING ON LEGAL ROAD OUTSIDE 219 TAYLORS MISTAKE ROAD

General Manager responsible:	General Manager City Environment
Officer responsible:	Transport and City Streets Manager
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PURPOSE OF REPORT

1. The purpose of this report is to recommend that the Council commence road stopping procedures to stop the parcel of surplus land comprising approximately 77m² which is a 3.0m wide strip along the frontage of 219 Taylors Mistake Road.

EXECUTIVE SUMMARY

3. The owner of the property at 219 Taylors Mistake Road has requested the use of 9.0m² of road land to enable the construction of a double garage.
4. This is considered a reasonable request owing to the steepness of the site. To locate the structure totally on site would incur substantially more earthworks.
5. The encroachment is minor and will not compromise road users' movement along the frontage. In addition this section of roadway was only upgraded five years ago and any other upgrade is likely to be some time away.
6. The proposal for the garage has the support of the neighbours.
7. There is also an existing long single garage along the property frontage and it is entirely on legal road approximately 3.5m from the kerb. This land is surplus to road requirements.
8. The existing garage also acts as support to the bank and removal of this structure will require the construction of a new retaining wall.

FINANCIAL AND LEGAL CONSIDERATIONS

9. The Board has delegated power to approve the building of this garage on road. The Board's decision regarding the construction of the garage is recorded in clause 10 of this report.
10. The disposal of this parcel of redundant land is insignificant and will have no effect on road users and hence it is appropriate to commence the road stopping procedures pursuant to the Public Works Act 1987.
11. There will be a financial return to the Council following the disposal of the surplus road land.

OPTIONS

12. Status quo.

Comment - Refusal of the application is likely result in added pressure on the street parking facilities.
13. Approve the garage and enter into a Deed of Licence to occupy legal road.

Comment - Not a good long term solution because the land is surplus to the Council's requirements.
14. Stop road and sell to owner.

Comment - This process will take some time and will delay construction of the garage.
15. Approve the garage on legal road and follow up with road stopping.

Comment - Enables owner to construct garage without delay and allows the Council to work towards land disposal.

STAFF RECOMMENDATION

That, following completion of the foundation of the garage, the Council commence the road stopping procedures pursuant to the Public Works Act 1987, to stop the 3m² strip of road land along the frontage of 219 Taylors Mistake Road.

BOARD RECOMMENDATION

That the staff recommendation be adopted.